

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

VIRAL DRM, LLC,

Plaintiff,

v.

Case No. 8:23-cv-2628-TPB-LSG

HARDEE BROADCASTING, LLC,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter is before the Court on consideration of the report and recommendation of Lindsay S. Griffin, United States Magistrate Judge, entered on December 12, 2024. (Doc. 32). Judge Griffin recommends that “Plaintiff’s Motion for Entry of Final Default Judgment” (Doc. 29) be granted in part and denied in part. No party has objected, and the time to object has expired.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge’s report and recommendation. 28 U.S.C. § 636(b)(1); *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983); *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982). A district court must “make a de novo determination of those portions of the [report and recommendation] to which

an objection is made.” 28 U.S.C. § 636(b)(1)(C). When no objection is filed, a court reviews the report and recommendation for clear error. *Macort v. Prem, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006); *Nettles v. Wainwright*, 677 F.2d 404, 409 (5th Cir. 1982).

Upon due consideration of the record, including Judge Griffin’s well-reasoned report and recommendation, the Court adopts the report and recommendation. Consequently, Plaintiff’s motion for final default judgment is granted in part and denied in part.

Accordingly, it is

**ORDERED, ADJUDGED, and DECREED:**

- (1) The report and recommendation (Doc. 32) is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
- (2) “Plaintiff’s Motion for Entry of Final Default Judgment” (Doc. 29) is **GRANTED in part and DENIED in part** as set forth in the report and recommendation.
- (3) Viral DRM, LLC is awarded statutory damages in the amount of \$30,000.00, plus \$4,517.00 in reasonable attorney’s fees and costs. The Clerk is directed to enter a default judgment in the amount of \$34,517.00 in favor of the Plaintiff, Viral DRM. LLC and against Defendant, Hardee Broadcasting, LLC, terminate any pending

motions, and close the case.

**DONE** and **ORDERED** in Chambers, in Tampa, Florida, this 30<sup>th</sup> day  
of December, 2024.

A handwritten signature in blue ink, appearing to read "T. P. Barber", written in a cursive style.

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TOM BARBER  
UNITED STATES DISTRICT JUDGE